IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE EIGHTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 28363 of 1998

Between:

A. Ranjit s/o late Sri C. Achuthan, Aged: about 43 years, Occup: Technical Officer (under resignation) r/o K-87, Cholayil, Anna Nagar East, Chennai-600 102.

..... PETITIONER

AND

1. The Chairman and Managing Director, Andhra Bank Head Office at Hyderabad.
2. The General Manager (Staff) Andhra Bank Head Office, Hyderabad.
3. The Regional Manager, Andhra Bank, Anantapur.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ Order or direction more in the nature of Writ of Mandamus directing the respondents to reinstate the petitioner into service by declaring the action of the respondents in accepting the petitioner's resignation vide letter dated 15-11-1996 i.e., before completion of three months period as illegal, bad and arbitrary and further direct the respondents to continue the petitioner in service with all consequential benefits.

Counsel for the Petitioner: MR.J.R.MANOHAR RAO

Counsel for the Respondent Nos. 1 to 3: SRI NOOTY RAMA MOHANA RAO.

The Court made the following:

Oral order:-

After arguing the case for quite a long time, learned counsel for the petitioner requests the court to permit him to withdraw the writ petition to enable the petitioner to file an appeal before the appellate authority. Therefore, the writ petition is dismissed as ‘withdrawn’ granting liberty to the petitioner to approach the competent authority and file an appeal to workout his remedies. However,

on filing such an appeal, the appellate authority shall entertain and dispose of the appeal within a period of four (4) weeks from the date of receipt of the appeal. It is made clear that the appellate authority shall not dismiss the appeal on the ground of delay and laches since the writ petition is pending before this court till date.

Accordingly, the writ petition is dismissed as 'withdrawn'. No costs.

C.V. RAMULU, J

Dt. 18-07-2005

Pvks/*

Nb: Furnish c.c. in three days.

B/o pvks/*

To

1. The Chairman and Managing Director, Andhra Bank Head Office at Hyderabad.
2. The General Manager (Staff) Andhra Bank Head Office, Hyderabad.
3. The Regional Manager, Andhra Bank, Anantapur.
4. 2 CD Copies.